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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/577,004

04/24/2006

Guenter Wanschura

18955

2346

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7590

02/14/2008

SCULLY, SCOTT, MURPHY & PRESSER, P.C.

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EXAMINER

LAZO, THOMAS E

ART UNIT

PAPER NUMBER

3745

MAIL DATE

DELIVERY MODE

02/14/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/577,004

**Applicant(s)**

WANSCHURA ET AL.

**Examiner**

Thomas E. Lazo

**Art Unit**

3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 24 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/CIS)  
Paper No(s)/Mail Date 4/24/06  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

The disclosure is objected to because of the following informalities:

On page 2, the reference to claim 1 should be removed.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forster (4,449,444) in view of Ohashi et al. (6,425,444). Forster discloses a connection block 2 for a hydrostatic piston machine which is provided for simultaneous operation in a first hydraulic circuit and a second hydraulic circuit, a first working pressure duct 24 and a second working pressure duct 52a formed in the connection block 2, via which ducts respectively a first and a second working line of the first hydraulic circuit can be connected to respectively a first and a second kidney-shaped control port 23,23a of a control plate 6 of the hydrostatic piston machine, and a third working pressure duct 29 and a fourth working pressure duct 52b formed in the connection block 2, via which ducts respectively a third and a fourth working line of the second hydraulic circuit can be connected to respectively a third and a fourth kidney-shaped control port

28,28a of the control plate of the hydrostatic piston machine, wherein at least the first and the second working pressure duct 24,52a or the third and the fourth working pressure duct 29,52b open onto one side of the connection block 2, the working pressure ducts 23,52a,29,52b open in a kidney shape, at their ends facing away from the working lines, onto an end surface of the connection block 2 oriented towards the control plate 6, the kidney-shaped mouths of the first and the second working pressure duct extend along a first divided circle on the end face of the connection block 2, and the kidney-shaped mouths of the third and the fourth working pressure duct extend along a second divided circle on the end face of the connection block 2. Forster does not disclose a common feeding pressure duct provided in the connection block, wherein it is possible for the common feeding pressure duct to be connected to the first to fourth working pressure duct respectively via a separate feeding device, the feeding devices can be inserted into openings of the connection block, in each of the four feeding devices a high-pressure limiting valve is provided, by which, if a pressure limit value is exceeded, the pressure in the corresponding working line connected to the first to fourth working pressure duct is relieved to the common feeding pressure duct of the connection block, an auxiliary pump, which delivers to the feeding pressure duct, can be inserted into the connection block on the side of the latter facing away from the hydrostatic piston machine, and all the feeding devices are arranged on a common side of the connection block.

Ohashi et al. teaches for a connection block 230 for a hydrostatic piston machine which is provided for simultaneous operation in a first hydraulic circuit and a second hydraulic circuit, a first working pressure duct and a second working pressure duct 231a formed in the connection block 230, via which ducts respectively a first and a second working line 284a of the first

hydraulic circuit can be connected to respectively a first and a second kidney-shaped control port of the hydrostatic piston machine, and a third working pressure duct and a fourth working pressure duct 231b formed in the connection block 230, via which ducts respectively a third and a fourth working line of the second hydraulic circuit can be connected to respectively a third and a fourth kidney-shaped control port and that there is a common feeding pressure duct 233 provided in the connection block 230, wherein it is possible for the common feeding pressure duct 233 to be connected to the first to fourth working pressure duct 231a,231b respectively via a separate feeding device 262a-d, the feeding devices 262a-d can be inserted into openings of the connection block 230, in each of the four feeding devices 262a-d a high-pressure limiting valve 261a-d is provided, by which, if a pressure limit value is exceeded, the pressure in the corresponding working line connected to the first to fourth working pressure duct 231a,231b is relieved to the common feeding pressure duct 233 of the connection block 230, an auxiliary pump 250, which delivers to the feeding pressure duct, can be inserted into the connection block 230 on the side of the latter facing away from the hydrostatic piston machine, and all the feeding devices 262a-d are arranged on a common side of the connection block 230 for the purposes of lowering the manufacturing cost and improving assembling efficiency. See Ohashi et al. col. 1, lines 11-44.

Since Forster and Ohashi et al. are both in the same field of endeavor the purpose disclosed by Ohashi et al would have been recognized in the pertinent art of Forster. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the connection block of Forster to have a common feeding pressure duct provided in the connection block, wherein it is possible for the common feeding pressure duct to be

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connected to the first to fourth working pressure duct respectively via a separate feeding device, the feeding devices can be inserted into openings of the connection block, in each of the four feeding devices a high-pressure limiting valve is provided, by which, if a pressure limit value is exceeded, the pressure in the corresponding working line connected to the first to fourth working pressure duct is relieved to the common feeding pressure duct of the connection block, an auxiliary pump, which delivers to the feeding pressure duct, can be inserted into the connection block on the side of the latter facing away from the hydrostatic piston machine, and all the feeding devices are arranged on a common side of the connection block for the purposes of lowering the manufacturing cost and improving assembling efficiency.

### ***Prior Art***

Prior art made of record but not relied upon is considered pertinent to Applicant's disclosure and consists of five patents.

Yoshida et al., Leker, Wagenseil '463, Wagenseil et al. '853, and Rystrom are cited to show connection blocks for hydrostatic piston machines.

### ***Contact Information***

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thomas Lazo whose telephone number is (571) 272-4818. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Edward Look, can be reached on (571) 272-4820. The fax phone number for this Group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Thomas E. Lazo/  
Primary Examiner,  
Art Unit 3745  
February 12, 2008